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SECRETARIAT  
OF  
THE ODISHA LEGISLATIVE ASSEMBLY  
NOTIFICATION

The 29th August, 2012

No.9173/L.A.—The following Bill which has been introduced in the Odisha Legislative Assembly on the 29th August, 2012 is herewith published under Rule-68 of the Rules of Procedure and Conduct of Business in the Odisha Legislative Assembly for general information.

**THE COURT-FEES (ODISHA AMENDMENT) BILL, 2012**

**A  
BILL**

FURTHER TO AMEND THE COURT-FEES ACT, 1870 IN ITS  
APPLICATION TO THIS STATE OF ODISHA

**BE** it enacted by the Legislature of the State of Odisha in the  
Sixty-third Year of the Republic of India as follows:—

Short title. **1. (1)** This Act may be called the Court-fees (Odisha  
Amendment) Act, 2012.

Amendment of Schedule-II. **2.** In Article 1 of Schedule-II to the Court-fees Act, 1870 in its application to the State of Odisha, for clause (b) including the entries under the second and third columns thereof, the following shall be substituted under appropriate column, namely:—

“(b) (i) When containing a complaint or charge of any offence other than the complaint for the offence under section 138 of the Negotiable Instrument Act, 1881 and an offence for which Police Officers may under the Code of Criminal Procedure, 1973 arrest without warrant, and presented to

In the case of a criminal complaint and appeal, four rupees and in other cases two rupees.

26 of 1881.

2 of 1974.

7 of 1870.

any Criminal Court;  
 or when presented to a Civil, Criminal or Revenue Court or to a Collector, or any Revenue Officer having jurisdiction equal or sub-ordinate to a Collector;  
 or to any Magistrate in his executive capacity and not otherwise provided for by this Act;  
 or to deposit in Revenue Court or rent;  
 or for determination by a Court of the amount of compensation to be paid by a landlord to his tenant.

(ii) Complaint for the offence under section 138 of the Negotiable Instrument Act, 1881.

One per centum of the amount involved in the Cheque or Instrument.”. 26 of 1881.

## STATEMENT OF OBJECTS AND REASONS

The State Government have decided to separate the complaints U/s. 138 of the Negotiable Instrument Act, 1881 from other complaints under the Code of Criminal Procedure for the purpose of imposition of Court-fees taking into account the ultimate relief that the complainants are praying for which is different from the complaints under the Code of Criminal Procedure. So separating the complaints U/s.138 of Negotiable Instrument Act, from other complaints the decision is to the effect of the imposition of Court-fees at one percentum of the amount involved in the Cheque/Instrument for the purpose of filling the complaints U/s. 138 of the Negotiable Instrument Act. Therefore, it is required to amend Schedule-II of the Court-fees Act, 1870 in its application to State of Odisha, accordingly.

The Bill seeks to achieve the above objectives.

RAGHUNATH MOHANTY

*Member-in-Charge*

A. K. SARANGI

*Secretary*

*Odisha Legislative Assembly*